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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: SKARDA, James R. Examiner: TOY, Alex B.
Serial No. 10/656,422 Group Art: 3739
Filing Date: September 5, 2003 Docket No.: P-11278.00
Title: RF ABLATION CATHETER INCLUDING A VIRTUAL ELECTRODE ASSEMBLY

RESPONSE TO RESTRICTION REQUIREMENT

MAIL STOP AMENDMENT
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement of the Office Action mailed July 14, 2005, Applicants elect, with traverse, the species of Group I, defined by Claims 1-46.

REMARKS

The traversal is based on applicants' understanding that there is no undue burden imposed on the Examiner to examine the subject application as originally filed.

The Examiner has further presented an election of species requirement. Applicant respectfully traverses this requirement and the designation of species. FIGS. 1-5 relate to various aspects of the same embodiment. See paragraph 15 of the present application. Thus, Species I and II, as designated by the Examiner, do not appear to be different species at all. FIG. 6 is simply a particular geometrical arrangement of the pores present in FIGS. 1-5, and should be included in the search. Thus, the only apparent distinct species is that of FIG.

7. Applicant elects Species I and respectfully asserts that Examiner-designated Species II is part of Species I and is therefore "elected" as well. Furthermore, Applicant requests consideration of Species III as described.

Applicant respectfully asserts that claims 1-9, 12-16, 20, 22-24, 25-31, 34-38, 40, 42, 45 and 46 are in fact generic. Claims 10, 11, 18, 32, and 33 correspond to the selected species.

Applicant respectfully requests favorable action on the merits. Should any issues remain outstanding, the Examiner is urged to telephone the undersigned to expedite prosecution.

Respectfully submitted,

Daniel G. Chapik

Date

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